

08-CV-05433-AF

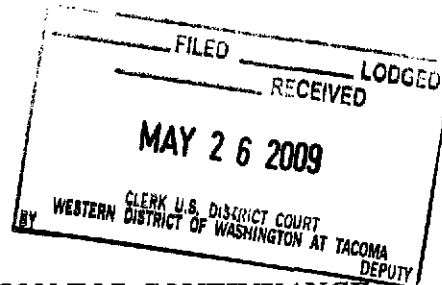
HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMACASCADE MANUFACTURING SALES, INC
A Washington corporation
Plaintiff,

vs.

PROVIDENT CO. TRUST, a Washington trust
Dba WORMSWRANGLER.COM
Barry Russell, an individual
Defendants,

Case No.: C08-5433RBL

Affidavit in support of Motion for
continuance**I. AFFIDAVIT IN SUPPORT OF THE MOTION FOR CONTINUANCE**

Comes now Barry Russell as Trustee of Provident Co Trusts, and individually, and states the following in support of his Motion of continuance:

I am over 21 years of age, competent, familiar with the facts herein and state under oath the following.

1. I need additional time because it was not proper for the motion of Attorney Westbrook withdrawal to be approved;
2. I did not and do not agree to the Westbrook withdrawal.
3. I did not have proper understanding that Westbrook could withdraw without another attorney to take his place.
4. I did not have sufficient notice or enough time to respond to the withdrawal request.
5. I want time to pursue Mediation settlement now.
6. I am having difficulties finding proper representation;
7. There are critical time deadlines.
8. I request a continuance for seven (7 months).
9. I contacted Venkat Balasubramani on May 17, 2009, and he did not agree to my continuance request.

I am a worm farmer, not an attorney

I have no idea what is going on in my case

I was not pleased with attorney Westbrook and I told him so.

I have given him \$30-40,000 and I have no idea where I stand. I paid the attorneys Christensen, O'Connor, Johnson and Kindness \$10,000 and still owe them \$28,000. These attorneys were

Affidavit in support of Motion for continuance
(C08-5433RBL) Page | 1

1 hired by attorney Westbrook and then they were also dismissed by him. I never met anyone from
2 the COJK law firm.

3 I know that timing is critical and of the essence.

4 I have been diligently seeking replacement counsel. I have been told that there appears to be
5 many mistakes and that attorney's Westbrook's representation was less than adequate or
6 appropriate. I have not found an attorney yet that is willing to take over this matter on my behalf.
7 Wherefore, I am seeking this continuance at this time to get proper representation.

8 I desperately need counsel in order to defend this matter

9 Westbrook's perception of what I said was not correct. I did not tell Westbrook that I approved
10 of his withdrawal.

11 I definitely did not imply or mean that I approved of his withdrawing as he has stated in his
12 motion. I also had no idea he could file the motion overnight, have it approved the next morning,
13 and then leave me with no representation what so ever.

14 I have limited knowledge of the court system with critical schedule deadlines quickly
15 approaching. I have been searching for a replacement.

16 Based on my past legal experiences from other parts of this country, I expected that the
17 procedures of the legal system would not allow a client to be without representation especially at
18 a critical time.

19 The above statement is true and correct to the best of my knowledge and belief, and not
20 misleading:

21 and not intended to delay this matter.
22
23
24
25
26
27
28
29
30
31
32

Signed under the pains and penalties of perjury under the laws of the United States and the State of Washington.

Respectfully submitted this 26th day of May, 2009.

Barry Russell



PMB #103 Box 7530

Yelm, WA 98597

360-977-5882

Certificate of Service

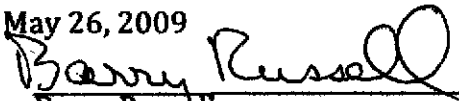
The undersigned certifies that on May 26, 2009 he personally hand delivered to the Clerk of the Court "Affidavit in support of Motion for continuance" to the following:

Tacoma Clerk's Office, US District Court (sent via USPS Certified Mail)
1717 Pacific Avenue
Room 3100
Tacoma WA 98402-3200

Venkat Balasubramani (sent via USPS Certified Mail #7006 2150 0002 6481 4079)
Balasubramani Law
8426 40th Ave SW
Seattle, Washington 98136
Venkat@balasubramani.com

VERITRADEMARK (sent via USPS Certified Mail #7006 2150 0002 6481 4086)
Danny Bronski, WSBA #34385
1411 East Olive Way
Seattle, WA 98122
Tel: (206) 281-0795 Fax: (206) 774-0430
Email: danny@veritrademark.com

Dated this May 26, 2009



Barry Russell
PMB#103 Box 7530
Yelm WA 98597
360-977-5882

Affidavit in support of Motion for continuance
(C08-5433RBL) Page | 3